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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,894	11/19/2001	Jonathan J. Hull	015358-007200US	1066

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EXAMINER

STORK, KYLE R

ART UNIT PAPER NUMBER

2178

DATE MAILED: 07/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/001,894

Applicant(s)

HULL ET AL.

Examiner

Kyle R. Stork

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13, 14, 29, 30, 42 and 43 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 8, 9, 11, 12, 15, 17-20, 22, 24, 25, 27, 28, 31, 33, 35, 37, 38, 40, 41, 44 and 46-48 is/are rejected.
- 7) ☒ Claim(s) 5, 7, 10, 16, 21, 23, 26, 32, 34, 36, 39 and 45 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This final office action is in response to the amendment filed 22 May 2006.
2. Claims 1-48 are pending. Claims 1, 8, 13, 15, 17, 24, 29, 31, 33, 37, 42, and 44 are independent claims. The rejection of claims under 35 USC 103 under Mao et al. (US 6546385) and Saur et al. ("Automated Analysis and Annotation of Basketball Video," 1997), and further in view of Mohan ("Text-based search of TV news stories," 1996), Myers et al. ("A Multi-View Intelligent Editor for Digital Video Libraries, 24 June 2001), Chiu et al. ("Automatically Linking Multimedia Meeting Documents by Image Matching," 2000), Dimitrova et al. ("Video Keyframe Extraction and Filtering: A Keyframe is not a Keyframe to Everyone," 1997), Chen et al. ("ViBE: A Video Indexing and Browsing Environment," September 1999), as necessitated by the amendment.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 5-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 5-6, 10-11, 16, 21-22, 26-27, 32, 34-35, 39-40 and 46-48, the applicant discloses, "determining one or more time points in the multimedia document," in lines 2 and 3 of claim 5 and similarly recited in the remaining claims. However, the multimedia document contains multimedia information that may be one or more of audio, image, or

video information (claim 1, lines 6-8 and 11-12). Image data would not have an associated time point.

Further, in claims 5, 10, 16, 21, 26, 32, 34, and 39 the applicant claims, "determining a first time and a second time," in line 4 of claim 5, and similarly recited in the remaining claims. However, it would be unclear to one of ordinary skill in the art at the time of the applicant's invention how determining **one** time point in the multimedia document would result in determining **both** a first and second time.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 4, 6, 8-9, 11-12, 15, 17, 20, 22, 24,-25, 27-28, 31, 33, 35, 37-38, 40-41, 44, and 46-48 are rejected under 35 U.S.C. 102(e) as being anticipated by Philyaw et al. (US 6745234, filed 19 August 1999, hereafter Philyaw).

As per independent claim 1, Philyaw discloses a computer-implemented method of using a paper document to retrieve multimedia information stored in a multimedia document in electronic form, wherein one or more user-selectable identifiers are printed on the paper document, the method comprising:

- Receiving a first signal indicating selection of a first user-selectable identifier from the one or more user selectable identifiers printed on the paper document (column 14, lines 56-67: Here, a user scans a barcode printed within an advertisement in a newspaper or periodical)
- Responsive to receiving the first signal, identifying a portion of multimedia information stored by the multimedia document corresponding to the first user-selectable identifier (column 15, line 66- column 16, line 11: Here, a user scans the barcode within an advertisement. The barcode reader causes a browser on the user computer to launch and connect to the website associated with the barcode)
- Outputting the portion of the multimedia information corresponding to the first user-selectable identifier using an output device (column 15, line 66- column 16, line 11)
- Wherein the multimedia information comprises one or more of audio, image, or video information (column 4, lines 10-28: Here, hypertext pages are described as containing multiple types of data, including image, video, and sound (audio) information. One embodiment includes where the multimedia data is presented in the form of an advertisement (column 17, lines 2-20))

As per dependent claims 4 and 20, Philyaw discloses wherein the one or more user-selectable identifiers include one or more barcodes printed on the paper document (column 14, lines 56-67).

As per dependent claims 6, 11, 22, 27, 35, and 40 Philyaw discloses wherein determining one or more time points in the multimedia document comprises:

- Determining a first time corresponding to the first user-selectable identifier (column 15, line 66- column 16, line 11; column 17, line 2-20: Here, the first time inherently indicates the beginning of the advertisement to be displayed)
- Including a portion of the multimedia information stored by the multimedia document occurring from the first time in the portion of the multimedia information corresponding to the first user-selectable identifier (column 15, line 66- column 16, line 11; column 17, line 2-20)

As per independent claims 8, 15, 17, 24, 31, 33, 37, and 44, the applicant discloses limitations similar to those in claim 1. Claims 8, 15, 17, 24, 31, 33, 37, and 44 are similarly rejected.

As per dependent claims 9, 25, and 38 Philyaw discloses wherein:

- The one or more user-selectable identifiers correspond to one or more barcodes printed on the paper document (column 14, lines 56-67)
- Selecting the first user-selectable identifier comprises scanning a first barcode from the one or more barcodes printed on the paper document using a selection device (14, lines 56-67)

As per dependent claims 12, 28, and 41 Philyaw discloses wherein one or more control codes are printed on the paper document, the method further comprising:

- Selecting a first control code from the one or more control codes printed on the paper document (column 14, lines 56-67)

- Modifying the output of the portion of the multimedia information corresponding to the first user-selectable identifier based upon the control code (column 15, line 66- column 16, line 11)

As per dependent claims 46-48, Philyaw discloses wherein identifying the portion of the multimedia information stored by the multimedia document corresponding to the first user-selectable identifier comprises determining one or more time points in the multimedia document (column 15, line 66- column 16, line 11; column 17, line 2-20).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2-3 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Philyaw and further in view of Mohan (Text-based search of TV news stories, 1996, provided by applicant in IDS).

As per dependent claims 2 and 18, Philyaw discloses the limitations similar to those in claim 1, and the same rejection is incorporated herein. Philyaw fails to specifically disclose the method wherein a signal comprises information identifying the output device. Mohan further discloses the method wherein a signal comprises information identifying the output device (page 11, paragraph 1: Here, the correct display device is automatically invoked). It would have been obvious to one of ordinary

skill in the art at the time of the applicant's invention to have combined Philyaw with Mohan, since it would have allowed a user to simply open the document without having to specifically identify a viewer for the document.

As per dependent claims 3 and 19, Philyaw discloses the limitations similar to those in claim 1, and the same rejection is incorporated herein. Philyaw fails to disclose the first signal comprising information indicating a playback mode for outputting the portion of the multimedia information corresponding to the first user-selectable identifier. Mohan discloses the first signal comprising information indicating a playback mode for outputting the portion of the multimedia information corresponding to the first user-selectable identifier (page 11, paragraph 1). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Philyaw with Mohan, since it would have allowed a user to playback the selected multimedia without distinctly specifying a playback device.

***Allowable Subject Matter***

9. Claims 13-14, 29-30, and 42-43 are allowed.
10. Claims 5, 7, 10, 16, 21, 23, 26, 32, 34, 36, 39, and 45 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.



***Response to Arguments***

11. Applicant's arguments with respect to claims 1-4, 6, 8-9, 11-12, 15, 17-20, 22, 24-25, 27-28, 31, 33, 35, 37-38, 40-41, 44, and 46-48 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

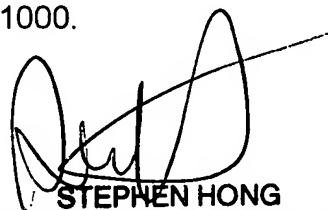
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle R. Stork whose telephone number is (571) 272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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